United Nations CRC/C/SR.2111

Convention on the Rights of the Child

Distr.: General
30 May 2016

Original: English

Committee on the Rights of the Child
Seventy-second session

Summary record of the first part (public)* of the 2111th meeting
Held at the Palais Wilson, Geneva, on Friday, 20 May 2016, at 10 a.m.

Chair: Mr. Mezmur

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10 a.m.

Consideration of reports of States parties (*continued*)

Combined third to fifth periodic reports of Nepal (continued) (CRC/C/NPL/3-5; CRC/C/NPL/Q/3-5and Add.1)

1. *At the invitation of the Chair, the delegation of Nepal took places at the Committee table.*

2. **Ms. Muhamad Shariff** (Country Task Force) said that the State party should reconsider the six-month statute of limitations for the crime of child rape. She was concerned that juvenile detention was not reserved for use only as a measure of last resort and that children were frequently held without charge, not brought before a judge within the required 24 hours, denied access to legal and other assistance, and placed in pretrial detention for petty crimes. Information before the Committee indicated that conditions in most detention facilities were very poor and that children were often held together with adults owing to a lack of juvenile facilities. There also appeared to be a lack of educational facilities in the country's prisons. It was her understanding that juvenile court judges had not yet been placed in all district courts and that some cases had been tried without child psychologists and sociologists being present, which was required under the Juvenile Justice Procedure Regulations. The majority of the children who were taken into custody were apparently from the most vulnerable communities, and their cases were usually dealt with by Chief District Officers, who could sentence people to imprisonment without observing due process or providing them with legal representation.

3. The minimum age of criminal responsibility, which was set at 10 years, should be brought into line with internationally accepted standards. The wording of the bill amending the Children's Act should be more explicit with regard to diversion programmes and restorative justice, the methodology for conducting preliminary inquiries and victim-offender mediation. She wished to know whether judges, lawyers and other persons working with children received training concerning child rights, whether there were rehabilitation programmes for juvenile offenders, whether legal aid was provided to all children in conflict with the law and whether there were plans to establish dedicated juvenile courts with specialized judges.

4. Noting that the criminal justice system in the State party was not victim-friendly, she asked whether the bill amending the Children's Act specified the rights and guarantees accorded to child victims and witnesses and the roles and responsibilities of the authorities in that regard. Were there any child-friendly procedures in place to ensure that children were protected throughout the criminal justice process? It would be useful to know how many child victims and witnesses of crime there were and what kind of support they had received. She also wondered why only 11 cases involving violations of children's rights had been handled by the National Human Rights Commission.

5. What kind of assistance had children from minority groups received in the aftermath of the earthquake of 2015? It would be interesting to know whether such children were able to practise their own religions and whether school textbooks were printed in minority languages. Was it true that, except in some areas of the Terai and some mountainous zones, children from minority communities were forced to speak Nepali in school?

6. **Mr. Sharma Duwadee** (Nepal) said that education was a top priority for Nepal and that the education sector therefore received the largest budgetary allocations. As reflected in the assessment of the School Sector Reform Programme, significant progress had been made in ensuring access to quality education. For example, 29,272 Early Child Development Centres had been funded by the Government in 2012-2013. Access to education was also promoted through school outreach programmes and a flexible schools

initiative, and the average walking distance to primary school currently stood at around 30 minutes. Research and development efforts were under way to ensure that school curricula addressed current needs and challenges. Furthermore, community-based school management committees had been set up with a view to increasing community ownership of education and upholding the rights of local populations, including indigenous groups. Targeted education programmes had been introduced for children from marginalized, isolated and deprived communities.

7. Expenditure on health had been trending upward for many years, and significant progress had been made in that sector. The immunization rate currently stood at 89 per cent; the prevalence of underweight children under 5 years of age had dropped to 30 per cent and the number of children suffering from wasting and stunting had also decreased as a result of the adoption of various measures to combat child malnutrition.

8. Poverty reduction remained a top priority. Around 45 per cent of the national budget was directly related to poverty reduction, and anti-poverty programmes were financed by the Poverty Alleviation Fund. For purposes of the design of anti-poverty strategies, poverty was defined not just in terms of income but also in terms of social indicators such as literacy, life expectancy and nutrition. Social welfare was also at the heart of State-run programmes, with around 11 per cent of the government budget being related either directly or indirectly to social security coverage. In addition, a health insurance system had been introduced to ensure universal access to health care.

9. **Mr. Prasad Regmi** (Nepal) said that his Government devoted around 3 per cent of the country's GDP to social welfare, and children, in particular, benefited greatly from expenditures in that area.

10. **Mr. Gnyawali** (Nepal) said that, while birth registration was not yet compulsory, all children enjoyed the constitutional right to be registered at birth. The main reason for some parents' failure to register the births of their children did not have to do with procedural or financial difficulties, but rather with a lack of awareness of the importance of doing so. Awareness campaigns were therefore being conducted and a specific government department for birth registration had been established. Existing legislation was being reassessed with a view to making birth registration compulsory, but that would require time.

11. The law regulating the activities of the National Human Rights Commission would be revised and brought into line with the Constitution. The Commission was an independent body with a dedicated desk for children's issues. The Citizenship Act was also being revised in line with the new Constitution, which provided that a child born to a Nepalese mother and an unknown father could be granted Nepalese citizenship by descent so long as the mother was a permanent resident of Nepal. The same applied to a child born to a Nepalese woman married to a foreign citizen as long as their permanent domicile was in Nepal.

12. Despite the various challenges it faced, Nepal was a party to the majority of core human rights conventions, and almost all fundamental human rights were enshrined in the new Constitution. Efforts were now focused on ensuring its implementation. Nepal would assess the institutional and legislative changes required in order for it to be able to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and would pursue the ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

13. Juvenile court judges had been placed in all 75 district courts. Chief District Officers were required to follow due process and were under the ongoing supervision of the courts. The Constitution provided that proceedings involving a child charged with any offence punishable by more than 1 year of imprisonment must be handled by juvenile court judges, rather than Chief District Officers. It also upheld victims' rights, making the criminal

justice system significantly more victim-friendly. The Truth and Reconciliation Commission was currently in operation and was governed by the applicable laws and court orders. The rule of law would not be compromised under any circumstances.

14. **Ms. Sandberg** (Country Task Force) said that she would be interested to learn whether the State party saw the emergence of private schools as a challenge and how such schools were regulated. She asked the delegation to clarify what proportion of the State budget was allocated to education.

15. **Mr. Sharma Duwadee** (Nepal) said that there was an effective regulatory mechanism in place for the supervision of private schools. District education offices and regional education directorates monitored the activities of such schools to ensure access, quality and inclusiveness.

16. **Mr. Prasad Regmi** (Nepal) said that the share of the national budget allocated for education had fallen from 16.78 per cent in the 2007/08 fiscal year to 12 per cent in the 2015/16 fiscal year, possibly owing to increased spending on earthquake-relief activities and reconstruction projects. However, education remained the largest budgetary expenditure item for the Government. In 2015/16, around 40 per cent of the education budget had been set aside for child-specific purposes. Students at private schools followed the curriculum set by the Curriculum Development Centre and sat State-approved examinations. A committee had been set up to monitor the levels of school fees, which were capped.

17. **Mr. Rupahketee** (Nepal) said that orphans and abandoned children tended to be sent to residential childcare homes, of which there were currently 577 housing around 16,000 children. Recently, however, efforts had been made to move away from institutional arrangements and to make greater use of family-based alternatives. A standard for the operation and management of residential childcare homes had been put in place. Children could be placed in a residential childcare home only if they had been orphaned and if a recommendation had been issued to that effect by the corresponding District Child Welfare Board or Village Development Committee. Personnel worked with families to improve parenting skills and to disseminate information on alternative care management through coordinated family support, poverty elimination and literacy programmes. A draft regulation on alternative care made provision for the use of foster care arrangements; however, no specific standards currently existed in that regard. Child Rights Officers employed by District Child Welfare Boards were gradually being replaced with appropriately trained, government-appointed Child Protection Officers and Child Protection Inspectors, who were responsible for promoting children's rights at the district level and managing individual cases. The local police authority and the District Child Welfare Board must be notified when children were admitted to, removed from or ran away from a childcare home. Surrogacy had been banned in Nepal; however, children born to surrogate mothers prior to the issuance of that decision could be taken out of the country.

18. According to a recent survey, children with disabilities made up around 2 per cent of the total population. Of that group, around one third had physical disabilities. Disabilities were classified as complete, severe, moderate or mild. In total, 10,257 children had been issued with disability identity cards. Those children benefited from scholarships and free textbooks, including material produced in Braille and audio formats. Children received monthly payments of 1,000 Nepalese rupees if their disabilities were classified as complete and of 300 Nepalese rupees if their disabilities were severe. Work was ongoing to construct accessible toilet facilities and school buildings, and standards for such facilities had been introduced.

19. In 2011, there had been around 600,000 children involved in types of employment classified as child labour. Efforts were being made to put an end to child labour through

advocacy, the enforcement of existing legislation, poverty elimination, awareness-raising and educational programmes, and inspections. Legislation on child labour was currently being amended to cover the informal sector. In order to tackle the problem of trafficking in persons, the Government had taken awareness-raising, prevention and protection measures, as well as pursuing the prosecution of traffickers, in cooperation with development partners and civil society organizations. Trafficking in Nepal was both cross-border and domestic in nature, and district and national-level monitoring committees made up of judicial and development officials had been set up to address the issue.

20. There were currently some 350 street children in Kathmandu and about 5,000 to 6,000 throughout Nepal. A directive on their rescue, protection and management had been enacted following consultation with civil society organizations. Thanks to recent efforts to get children off the streets of Kathmandu, to date around 100 children had been placed in drop-in centres, where they would stay for three months before being transferred to socialization centres for six months prior to family reunification. Child drug users were admitted to a rehabilitation unit. Two child telephone helplines, one regional and the other nationwide, had been set up to promote children's rights and to assist children who had gone missing.

21. In total, 1.1 million children had been affected by the earthquake. Over 2,700 had been killed, around 2,100 had been injured, 127 had been orphaned and 94 had been left disabled. Around 380,000 child earthquake victims had received physical and psychosocial support at the local level. A psychosocial counselling services unit had been set up in one State-run hospital, and similar assistance was being provided by a variety of institutions, including childcare homes and rehabilitation centres. The Central Child Welfare Board, with the financial and technical support of the United Nations Children's Fund (UNICEF), had launched a project designed to build resilience by helping to keep families together and make them less vulnerable to trafficking. As a result of that programme, 35,665 vulnerable children had been identified, around 16,000 had been reunited with their families and approximately 19,000 had been housed with relatives. Individual emergency financial support payments of from 4,000 to 5,000 Nepalese rupees had been made to several thousand affected children; in addition, several hundred child-friendly facilities and a number of woman-friendly facilities had been set up, and around 50,000 dignity kits had been distributed. School and hospital reconstruction projects had been made a priority as a part of a recently approved post-disaster recovery plan.

22. There were three residential juvenile correction facilities in Nepal, all of which were equipped with educational units staffed by State-assigned teachers. By the end of 2016, there would be juvenile justice courts in all 75 districts of the country.

23. **Ms. Muhamad Shariff** said that she would appreciate further information about the six-month statute of limitation for the crime of rape. She wished to know whether the authorities had a mechanism in place for dealing with children in street situations who did not have families, whether children often ran away from drop-in centres and whether the Government had a long-term plan in that regard. Information on the child telephone helplines' operating hours and the number of calls they received would be appreciated.

24. **Ms. Aldoseri** said that she would welcome information on the number of children enrolled in private schools, any measures taken to track changes in enrolment levels at those schools and specific reasons for any increases in enrolment. She would be interested to learn how private schools were monitored, what kind of training was provided to teachers concerning the Convention and what steps had been taken to incorporate the principles of the Convention into the curricula of private schools and to supervise teacher training in those institutions.

25. **Mr. Cardona Llorens** (Coordinator, Country Task Force) asked whether it was true that marriages in which the wife had become pregnant or given birth before the age of 18 could not be dissolved. If that were the case, then the relevant law would in fact be encouraging adolescent pregnancy. He also wondered whether children born to a Nepalese father and a foreign mother were barred from holding public service posts because they had not obtained nationality by origin. He would like to know what measures had been taken to tackle the high rate of early pregnancy, in particular in rural areas, and to ensure access to proper perinatal care and abortion services for young women. Had steps been taken to repeal the laws under which victims of the sale of children, child prostitution, child pornography and hazardous child labour could be prosecuted?

26. **Ms. Ayoubi Idrissi** said that she wished to know whether fees were charged for birth registration, whether there were any deadlines for late birth registration and, if so, whether parents failing to meet them had to go through the legal system in order to register a child's birth. When child marriages that had not yet been formalized produced offspring, what were the legal implications of the unofficial status of those unions in terms of the establishment of parentage and legal responsibility for the performance of parental duties?

27. **Mr. Prasad Regmi** (Nepal) said that children in street situations who were placed in drop-in centres were given time to adapt to a more conventional lifestyle before being transferred to socialization centres. In cases where family reunification was not an option, the children were provided with basic education and vocational training. He did not have an exact figure on the number of children attending private schools, but the majority of children attended public schools. Private schools were required to follow a curriculum set by the Government. The fees that they charged were monitored. Awareness of the Convention had been promoted in the country's schools with the help of a widely distributed poster produced for the occasion of International Children's Day. The Government had taken measures to ensure that basic health-care facilities were fully accessible to all members of the population, but a great deal of work nevertheless remained to be done on that front.

28. **Mr. Gnyawali** (Nepal) said that the parliament had considered various options before deciding on the statute of limitations for rape. A recent amendment had raised the legal age of marriage to 20 years for both men and women. Persons married before reaching that age could declare their marriage void if they so chose, unless they had children. Citizenship was granted to a person born in Nepal if he or she was resident in that country and was not already a citizen of another country. Naturalized citizens were barred only from holding certain high-ranking positions in the Government. A late registration of a birth could be carried out without recourse to the courts. Legal aid was provided by various means and was constitutionally guaranteed. Campaigns had been run across the country to raise awareness of the right to legal aid, but more work nevertheless needed to be done in that connection. Special provisions had also been introduced to promote child-sensitive justice.

29. **Mr. Rupakhetee** (Nepal) said that some street children had run away from the drop-in centres, but they had been brought back. There had been 1,658 calls to the 1098 child helpline in Kathmandu in 2013, 1,581 in 2014 and 3,047 in 2015. The calls had concerned a very wide range of issues, including physical, sexual and online abuse, disability, child marriage, neglect, drug use, the need for shelter and birth registration. Every effort was made to provide an appropriate response to each of the calls. The personnel in drop-in centres prepared files on the children without families which contained all the personal details and background information that could be gathered. The children were also provided with training in order to equip them with occupational skills.

30. A consultation had been held on the issue of street children in which street children themselves, along with other stakeholders, had been active participants. Some NGOs had

inadvertently been providing an incentive for children to remain on the street by supplying them with food and clothing there. Guidelines intended to harmonize the various efforts being made to assist street children had been drafted at the national level. Training manuals had been prepared for personnel involved in rescuing street children and running drop-in centres. The Government was not alone in working to improve street children's lives; it also provided NGOs with additional funding for their work in that area. Representatives of a number of political parties had been invited to discuss the issue, and a separate training manual had been prepared for persons involved in the reintegration of street children into society. Other training options for street children were also being considered. The Government's efforts had thus far been focused on Kathmandu but were to be extended to other cities.

The meeting was suspended at 11.30 a.m. and resumed at 11.45 a.m.

31. **Ms. Sandberg** asked what psychosocial support was made available to married girls who wanted to declare their marriage null and void.

32. **Mr. Prasad Regmi** (Nepal) said that the Government's recently adopted strategy for putting an end to child marriage by 2030 set out the support, in particular legal support, available to victims of child marriage.

33. **Mr. Rupakhetee** (Nepal) said that the strategy was in the second phase of its development. The Government was drawing up plans for its implementation and funding. The strategy made provision for assisting the victims of child marriage to annul their marriage and perhaps even to secure compensation. If they chose not to declare their marriage void, they would be entitled to receive reproductive health services, including contraceptive services, and would be supported in their return to education, both of which were effective methods of delaying pregnancy.

34. **The Chair** said that some of the questions that had been raised which remained to be answered had regarded the issues of glue-sniffing and substance abuse among schoolchildren, the issue of children living behind bars with their imprisoned parents, the involvement of children in drug trafficking and the support given to child victims of sexual abuse.

35. **Mr. Cardona Llorens** asked whether all the recommendations made by the Committee four years previously in its concluding observations with regard to the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/NPL/CO/1) had been acted upon. The Committee had recommended that a number of specific offences should be entered into the Criminal Code. Had that been done? The Committee had also noted in its concluding observations that child victims of sexual exploitation were at risk of being arrested under the provisions of the 1970 Public Offences and Control Act. Had those provisions been repealed? Had the State party followed the Committee's recommendations regarding extraterritorial jurisdiction? He also wished to know whether measures were in place to ensure that child victims of offences covered by the Optional Protocol were treated appropriately.

36. **Ms. Sandberg** asked whether the Government intended to accede to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

37. **The Chair**, noting that intercountry adoptions had been suspended in the State party, said that it would nevertheless be helpful for the Committee to know whether or not the State party had a concrete time frame for accession to that treaty. Given the large number of languages spoken in the State party, what efforts were being made to provide linguistically and culturally appropriate education for all children? Additional information on the situation of Dalits in the country would also be helpful.

38. **Ms. Aldoseri** asked what percentage of children attended private schools.

39. **The Chair** asked whether the Government had any plans to place a limit on that percentage.

40. **Mr. Prasad Regmi** (Nepal) said that, although he did not have immediate access to specific figures, many more children attended public schools than private schools. The Government had no plans to limit private school attendance. Private schools were subject to regular monitoring. The Government limited the fees that they could charge, and their textbooks and curricula were subject to government approval. As for the question regarding languages of instruction, all children had the right to have instruction at the primary school level delivered in their native language. Indeed, given the diversity of Nepalese society, it was difficult for a school to be run in a single language. The curriculum was already available in 16 or 17 languages.

41. Only 95 children in the country were living with an imprisoned parent. Although the Government did not run its own rehabilitation centres for children who had to live in prison, it worked closely with civil society organizations to provide services to such children. As an example of the contribution made by civil society organizations, he could mention Pushpa Basnet, the winner of a CNN Hero Award, for her work with children living in prison.

42. The delegation had prepared itself to reply to questions on the implementation of the Convention on the Rights of the Child, and replies to questions concerning the Optional Protocol on the sale of children, child prostitution and child pornography would be provided during the portion of the meeting set aside for consideration of the implementation of that instrument.

43. **Mr. Gurán** asked the delegation to provide information on the measures in place for monitoring the situation of children, particularly boys, who were living in monasteries and were isolated from their families.

44. **Ms. Sandberg** said that she would appreciate receiving a response to her request for information about intersex children, some of whom underwent operations with their parents' consent. She would also like the delegation to comment on the existence of orphanages that were supported by wealthy tourists, which could potentially create an incentive for putting children into those institutions.

45. **Mr. Rupakhetee** (Nepal) said that the Government had made it very clear that children should not be forced to follow a particular ideology, and it was working to gain greater access to information on the monasteries and their activities. The Monastery Development Committee of the Ministry of Federal Affairs and Local Development had met with the monastic authorities to request information on the numbers of children living in such establishments, their places of origin and the educational curricula they were following. A national consultation would be undertaken to ensure that monasteries provided all the required information and followed the national curriculum.

46. Under the Children's Act of 1992, all orphanages, which were usually known in Nepal as childcare homes, had to be registered with the authorities, but a number of unregistered institutions were nonetheless in operation. Orphanages were monitored on a regular basis, and any orphanages found to be violating the rules were closed down. When a child was to be adopted, prior notification of all interested parties was required, but that sometimes proved problematic in rural areas where there were no local newspapers and limited Internet access. The authorities endeavoured to ensure that all adoptions were made public before they were finalized.

47. **Mr. Prasad Regmi** (Nepal) said that the Constitution prohibited any form of discrimination on the grounds of gender, and there was no discrimination in the country

against intersex persons. The Government had recently begun to issue citizenship certificates, passports and voting cards that offered the option of identifying as a gender other than male or female.

48. The work required to frame the country's new Constitution had limited the Government's ability to devote time to the ratification of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, but the Convention would be ratified in due course.

49. **Mr. Cardona Llorens**, noting that the delegation had not yet responded to a question concerning child refugees and asylum seekers, said that he would appreciate information about action taken in response to recommendations made by the Committee in its concluding observations (CRC/C/15/Add.261) in 2005 regarding the improvement of the legal framework for the protection of such children. Information would also be appreciated about reports of the forced return of Tibetan children to China and about the lack of refugee certificates and identity documents for Tibetan children born after 1979, who were at risk of being stateless without such documentation. Despite the State party's collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR), there continued to be issues around the fulfilment of the rights of Tibetan children.

50. **Mr. Gnyawali** (Nepal) noted that, as stated in the report, the country's political situation was such that it was unable to welcome refugees. Some had nevertheless arrived from Bhutan and Tibet, and between 70 and 80 per cent of Bhutanese refugees had since moved on to third countries such as Canada. The State did not have an asylum system, but people arriving without a visa who found themselves in need of humanitarian assistance were covered by a cooperation agreement between the Government and UNHCR under which they were able to travel to a third country. There were no forced returns to their country of origin, and Tibetans were not sent to China. Births of Tibetan children in refugee camps were recorded, access to services such as education and health were not withheld, and the authorities provided travel documents to enable child refugees to travel on to India, the United States or other countries with their parents. The country was not party to the 1951 Convention relating to the Status of Refugees and could not accept refugees. Any assistance provided to refugees was purely a humanitarian matter, and statelessness was not an issue.

Initial report of Nepal on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/NPL/1; CRC/C/OPAC/NPL/Q/1 and Add.1)

51. **Mr. Cardona Llorens** said that he would like to congratulate the State party on having prohibited forced recruitment into the armed forces and voluntary recruitment of persons under 18 years of age. Noting that the report contained an extensive section on the coordination of efforts to apply the Optional Protocol to the Convention of the Rights of the Child on the involvement of children in armed conflict, he asked for clarification as to which authority was responsible for overseeing the implementation of the Optional Protocol and for information on the financial resources which had been allocated for that purpose.

52. Since the births of many people in the State party had not been registered, he wished to know how recruits' ages were verified, whether a person whose birth had not been registered was unable to volunteer and whether anything other than a birth certificate was accepted as proof of age. As the recruitment of minors was prohibited by army regulations but not recognized as a criminal offence, he wished to know what, if any, sanctions were applied to persons who recruited minors. Furthermore, if it was not a crime in Nepal, could persons who had recruited minors in another country be extradited under the State party's double criminality provision? He would also like to know whether the State party's provision for extraterritorial jurisdiction in cases where the victims were Nepalese would

apply in such cases. Clarification of the State party's position on ratification of the Rome Statute of the International Criminal Court would also be welcome.

53. Could the delegation confirm that the Truth and Reconciliation Commission would comply with the decisions issued by the Supreme Court that had annulled some of the provisions included in the law under which the Commission had been created? The Committee was aware that the law in question did not specifically cover the types of acts that would constitute violations under the Optional Protocol but assumed that the general provision under which the Commission had jurisdiction over acts that ran counter to international humanitarian and human rights laws would be interpreted as covering such violations. Clarification on that point would be welcome.

54. Noting that a complaint which had been lodged with the Commission by a group of some 4,000 former child soldiers had been deemed to fall outside its area of competence, he wished to know whether the Commission was authorized to consider acts recognized as crimes under the Optional Protocol. He would be interested to learn what types of compensation the Commission could award and what measures were in place to protect children from reprisals after lodging a complaint. As the recruitment and use of child soldiers were not criminal offences in the State party, how could persons who had committed those acts be brought to trial? It was to be noted that the redress offered to the 2,973 former child soldiers covered by the agreement concluded in 2009 had been confined to vocational training grants and scholarships; they had not been provided with compensation or with physical or psychological rehabilitation services because they had not been recognized as victims. Was that situation going to be rectified?

55. He asked the delegation to confirm that schools run by the Ministry of Defence for the children of military personnel and police officers were not pre-military academies, that they followed the same curriculum as other schools and that no military training or use of weapons took place there.

The discussion covered in the summary record ended at 12.35 p.m.